

9 FAM 41.2 Exhibit III

Excerpt from 8 CFR 214.2(c)

(TL:VISA-164; 4-25-97)

(c) Transits--(1) Without visas. An applicant for admission under the transit without visa privilege must establish that he is admissible under the immigration laws; that he has confirmed and onward reservations to at least the next country beyond the United States, and that he will continue his journey on the same line or a connecting line within 8 hours after his arrival; however, if there is no scheduled transportation within that 8-hour period, continuation of the journey thereafter on the first available transport will be satisfactory. Transfers from the equipment on which an applicant arrives to other equipment of the same or a connecting line shall be limited to 2 in number, with the last transport departing foreign (but not necessarily nonstop foreign), and the total period of waiting time for connecting transportation shall not exceed 8 hours except as provided above. Notwithstanding the foregoing, an applicant, if seeking to join a vessel in the United States as a crewman, shall be in possession of a valid "D" visa and a letter from the owner or agent of the vessel he seeks to join, shall proceed directly to the vessel on the first available transportation and upon joining the vessel shall remain aboard at all times until it departs from the United States. Except for transit from one part of foreign contiguous territory to another part of the same territory, application for direct transit without a visa must be made at one of the following ports of entry: Agana, Guam, Anchorage, Alaska, Atlanta, Ga., Baltimore, Md., Bangor, Maine, Boston, Mass., Brownsville, Tex., Buffalo, N.Y., *Charlotte, N.C.*, Charlotte Amalie, V.I., Chicago, Ill., Christiansted, V.I., Dallas, Tex., *Daytona, Fl.* Denver, Colo., Detroit, Mich., Fairbanks, Alaska, Hartford, Conn., Honolulu, Hawaii, Houston, Tex., Los Angeles, Calif., *Memphis, Tn.* Miami, Fla., Newark, N.J., New Orleans, La., New York, N.Y., Niagara Falls, N.Y., Norfolk, Va., *Oakland, Ca.*, *Orlando, Fl.* Philadelphia, Pa., Pittsburgh, Pa., Ponce, P.R., Port Everglades, Fla., Portland, Oreg., San Antonio, Tex., San Diego, Calif., *Sanford, Fl.*, .San Francisco, Calif., San Juan, P.R., Seattle, Wash., St. Paul, Minn., Tampa, Fla., Washington, D.C. The privilege of transit without a visa may be authorized only under the conditions that the transportation line, without the prior consent of the Service, will not refund the ticket which was presented to the Service as evidence of the alien's confirmed and onward reservations; that the alien will not apply for extension of temporary stay or for adjustment of status under section 245 of the Act, and that until his departure from the United States responsibility for his continuous actual custody will lie with the transportation line which brought him to the United States unless at the direction of the district director he is in the custody of this Service or other custody approved by the Commissioner.